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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AMUSEMENT INDUSTRY, INC., dba WESTLAND  
INDUSTRIES; PRATICAL FINANCE CO., INC., :  
  
Plaintiffs, : 07CV11586 (LAK)(GWG)  
-against- : (ECF)  
  
MOSES STERN, aka MARK STERN, JOSHUA SAFRIN,  
FIRST REPUBLIC GROUP REALTY, LLC, : NOTICE OF MOTION TO  
EPHRAIM FRENKEL, : DISMISS THIRD PARTY  
LAND TITLE ASSOCIATES ESCROW, : COMPLAINT AS AGAINST  
Defendants. : FIRST REPUBLIC GROUP  
CORP.  
-----X  
JOSHUA SAFRIN,  
Defendant/Third Party-Crossclaim-  
Counterclaim Plaintiff,  
-against-  
  
STEPHEN FRIEDMAN, STEVEN ALEVY, BUCHANAN  
INGERSOLL & ROONEY, P.C., BANKERS CAPITAL  
REALTY ADVISORS, LLC, and FIRST REPUBLIC  
GROUP CORP.,  
Third Party Defendants,  
-and-  
,  
  
MOSES STERN, aka MARK STERN, FIRST REPUBLIC  
GROUP REALTY LLC, EPHRAIM FRENKEL, and  
LAND TITLE ASSOCIATES ESCROW,  
  
Defendants/Crossclaim Defendants,  
-and-  
  
AMUSEMENT INDUSTRY, INC. dba WESTLAND  
INDUSTRIES, PRACTICAL FINANCE CO., INC.  
Plaintiffs/Counterclaim Defendants.  
-----X

**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law, Third Party Defendant First Republic Group Corp. will move this Court before the Honorable Lewis A. Kaplan, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, on submission or at such time as the Court may direct, for an order striking or dismissing the Third Party Complaint of defendant Joshua Safrin, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief in favor of said Defendants as the Court deems appropriate.

Dated: New York, New York  
May 27, 2008

HOFFINGER STERN & ROSS, LLP  
Attorneys for Third Party Defendant  
First Republic Group Corp.



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